

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

Willard & Marsha Lamm

Case No: 08-34707-KLP

Debtor(s)

Chapter 13

Last four digits of Social Security or Individual Tax-payer
Identification (ITIN) No(s)., (if any 6904, 9103)

NOTICE OF MOTION

Debtor(s), by counsel, have filed papers with the court for a Motion to Approve the waiving of filing the Debtor Education certificate and a signed Certification of Compliance with 11 U.S.C. Section 1328.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion (or objection), or if you want the court to consider your views on the motion (or objection), then on or before **February 6, 2014, (14 days)** you or your attorney must:

- ☒ File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad St.
Richmond, VA 23219

You must also mail a copy to:

America Law Group, Inc.
2312 Boulevard
Colonial Heights, VA 23834

- ☐ Attend a hearing to be scheduled at a later date. You will receive a separate notice of hearing. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.
- ☒ Attend the hearing on the motion (or objection) scheduled to be held on **February 19, 2014 at 12:00 PM at the United States Bankruptcy Court, Courtroom 5100, 701 E. Broad St, Courtroom , Richmond, VA 23219.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: January 23, 2014

/s/ Richard J. Oulton
America Law Group, Inc.
2312 Boulevard
Colonial Heights, VA 23834
Ph: 804-520-2428
VA State Bar No: 29640
Counsel for Debtor

Certificate of Service

I hereby certify that I have this January 12, 2011 mailed or sent by electronic means a true copy of the foregoing Notice of Motion (or Objection) to the parties listed on the attached service list.

/s/ Richard J. Oulton
Counsel for Debtor(s)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE: Willard & Marsha Lamm

Case No: 08-34707-KLP

Debtor(s)

Chapter 13

**MOTION TO APPROVE THE WAIVING OF FILING
THE POST PETITION DEBTOR EDUCATION CERTIFICATE AND A SIGNED
CERTIFICATION OF COMPLIANCE 11 USC SECTION 1328**

COMES NOW counsel for Willard & Marsha Lamm, and offers the following memorandum in support of the motion to waive the filing of the post-petition debtor education certificate and a signed 1328 Certificate by Debtor(s):

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. §157 and 1334 and 11 U.S.C. §362, and this matter is a core proceeding under the Bankruptcy Code.
2. On September 29, 2008, the movants filed in this Honorable Court a Petition for Relief under Chapter 13 of the Bankruptcy Code, 11 U.S.C. §1301. Robert E. Hyman was appointed to serve as the Chapter 13 Trustee in this case (the "Trustee").
3. The Debtor, Willard Lamm, was unable to complete the post-petition debtor education course and sign a certificate 1328, due to the fact that he passed away on August 5, 2011. Attached is Exhibit A; the death certificate.
4. Both Debtors had previously filed certificate 1325. Debtor, Marsha Lamm, has completed the post-petition debtor education course and signed a certificate 1328.

WHEREFORE, the movants respectfully request that this Honorable Court enter an order waiving the filing of the post-petition debtor education certificate and a signed certificate 1328 requesting discharge for Debtor Willard Lamm to all creditors and for such other relief as the court may deem appropriate.

Respectfully submitted,
/s/ Richard J. Oulton
Richard J. Oulton, Esq. VSB #29640
Counsel for Debtor(s)
America Law Group, Inc.
2312 Boulevard
Colonial Heights, VA 23834
Ph: (804) 520-2428

CERTIFICATE OF SERVICE

I certify that on this January 23, 2014, a copy of this Notice of Motion and Motion to Approve was mailed via first class mail, postage prepaid or by electronic means, to Robert E. Hyman, Chapter 13 Trustee, at P.O. Box 1780, Richmond, VA 23218, the United States Trustee at 701 E. Broad Street, Room, Richmond, VA 23219, and to all necessary parties.

/s/ Richard J. Oulton
Richard J. Oulton, Esq.
Counsel for Debtor(s)

Creditors

Advanta Bank Corp
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

Ally Financial Inc. f/k/a GMAC Inc.
P O Box 130424
Roseville, MN 55113

Bank Of America
Pob 17054
Wilmington, DE 19884-0000

Bank of Southside VA
26008 Cox Road
Petersburg, VA 23803-0628

Capital 1 Bank
Attn: C/O TSYS Debt Management
Po Box 5155
Norcross, GA 30091-0000

Chase - Cc
Attention: Bankruptcy Department
Po Box 100018
Kennesaw, GA 30156-0000

Chase Bank USA,N.A
P O Box 740933
Dallas,Tx 75374

Citi Mortgage Inc
Attention: Bankruptcy Department
Po Box 79022, Ms322
St. Louis, MO 63179-0000

Citibank Na
Attn.: Centralized Bankruptcy
Po Box 20507
Kansas City, MO 64195-0000

Citibank Usa
Attn.: Centralized Bankruptcy
Po Box 20507
Kansas City, MO 64195-0000

CitiMortgage, Inc.
P.O. Box 688971
Des Moines, IA 50368-8971

Citimortgage, Inc.
PO BOX 6941
The Lakes, NV 88901-6006

East Bay Funding, LLC
c/o Resurgent Capital Services
PO Box 288
Greenville, SC 29603

**eCAST Settlement Corporation assignee
of**
Capital One Bank
POB 35480
Newark NJ 07193-5480

**eCAST Settlement Corporation assignee
of**
Chase Bank USA NA
POB 35480
Newark NJ 07193-5480

GMAC
PO Box 130424
Roseville, MN 55113

GMAC
PO Box 78367
Phoenix, AZ 85062

Gmac Automotive Bank
2000 Town Ctr Ste 2200
Southfield, MI 48075-0000

Green Tree
PO Box 94710
Palatine, IL 60094-4710

Harley Davidson Financial
Po Box 21970
Carson City, NV 89721-0000

Harley-Davidson Credit Corporation
PO BOX 829009
Dallas, TX 75382

Home Depot
Processing Center
Des Moines, IA 50364-0000

IRS
Po Box 21126
Philadelphia, PA 19114

Kohls
Attn: Recovery
Po Box 3120
Milwaukee, WI 53201-0000

LVNV Funding LLC its successors and assigns as
assignee of Citibank
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Nissan Motor Acceptance / Infiniti
Po Box 660366
Dallas, TX 75266-0000

Portfolio Recovery Associates, LLC.

PO Box 41067
Norfolk, VA 23541

PRA Receivables Management, LLC
As Agent Of Portfolio Recovery Assocs.
POB 41067
NORFOLK VA 23541

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Roundup Funding, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Sallie Mae
Attn: Claims Dept
Po Box 9500
Wilkes Barre, PA 18773-0000

Sallie Mae, Inc. on behalf of UNITED STUDENT AID FUNDS, INC.
Attn: Bankruptcy Litigation Unit E3149
P. O. Box 9430
Wilkes-Barre, PA 18773-9430

The Bank of Southside VA
26008 Cox Road
Petersburg, VA 23803-0628

U.S. Attorney's Office
600 E. Main Street, 18th Floor
Richmond, VA 23219

Zales/cbsd
Po Box 6497
Sioux Falls, SD 57117-0000